

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:08-CR-28-1D

UNITED STATES OF AMERICA,     )  
                                   )  
                  Plaintiff ,    )  
                                   )  
                  v.                )  
                                   )  
                                   )  
JULIAN AVILEZ,                 )  
                                   )  
                  Defendant.     )

**ORDER**

This matter is before the Court on petitions by Soledad Lopez de Avilez and Mateo Avilez Duarte for relief from the Final Order of Forfeiture entered on January 19, 2010 and to stay this matter pending resolution of the motion. As it appears there is good cause for the motion for relief and that the United States Attorney does not oppose the motion, it is hereby


ORDERED that the Final Order of Forfeiture is set aside. It is further

ORDERED that the parties shall have 120 days from the date of this Order to conduct discovery, as allowed by Fed. R. Crim. P. 32.2(c)(1)(B), consistent with the Federal Rules of Civil Procedure. It is further

ORDERED that the motion for a stay is denied as moot.

The Clerk is DIRECTED to set this matter for a hearing as soon as practicable after the conclusion of the discovery period.

So ORDERED this 6 day of October, 2010.

  
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JAMES C. DEVER, III  
U. S. ~~Magistrate~~ Judge  
District